UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,941	11/15/2001	Gregory L. Trauth	47128-00011USPT	5918

7590   05/23/2003

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EXAMINER
IRSHADULLAH, M

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.		Applicant(s)
Office Action Summary	09/998,941		TRAUTH ET AL.
	Examiner		Art Unit
	M. Irshadullah		3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 November 2001 and 23 September 2002* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2-4* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rebane (US Patent 6,539,392 B1).

Rebane teaches:

Claim 1.   A method for notifying personnel of customer feedback messages,

comprising the steps of:

a) receiving a customer feedback message (Col. 2, lines 23-26 recited with col. 12,

lines 52-58, wherein "inputting consumer satisfaction survey data" infers claimed

"receiving customer feedback message" by reference's system);

b) storing said feedback message in a database (Col. 9, lines 62-65, wherein

survey data, as discussed above, represents "feedback message";

c) creating an electronic notification message containing information about said

feedback message (Col. 34, lines 65-67 read with col. 35, lines 4-5, wherein "automated

notification" would produce (generate or create) claimed "notification message" which

would be relating to above discussed "feedback message"); and

d) transmitting said notification message to an employee (Col. 6, lines 4-9.

Applicant will appreciate that cited "communication" function would be used for sending

(transmitting" above discussed "notification message" and cited "merchant" would

encompass claimed "employee", such as supervisor, manager etc.).

Claims 2, 9, 14, 16,18, 20, 22, 29.   The method, wherein said notification

message is an e-mail message (Col. 25, lines 22-25).

Claims 3 and 24.   The method, wherein said step of receiving said feedback

message includes receiving a customer satisfaction rating (Col. 34, lines 18-19 and 23-

27, wherein "categorizing by customer satisfaction ratings" infers that data relating to

customer satisfaction were received (receiving) prior to categorizing).

Claims 4 and 25.   The method, wherein said information in said notification

message includes said customer satisfaction rating (Col. 11, line 2, Col. 34, line 66

recited with lines 23-27 (specifically line 27). Reference's "appending" function would be

used for attaching (to include) above discussed customer satisfaction rating).

Claims 5, 12 and 26.   The method, comprising the further steps of:

a) determining whether said customer satisfaction rating is below a threshold

value (Col. 15, lines 53-54 and col. 25, line 65 through col. 26, line 1, wherein cited

"processing" and "comparing with predefined low threshold" infer claimed "determining

whether rating is below a threshold"); and

b) transmitting a second electronic notification message to a second employee if

said customer satisfaction rating is below said threshold value (Col. 6, lines 4-8.

Reference's "communication" function would be used for sending (transmitting) any

number of above discussed notification message and as discussed above "merchant"

would encompass manager (second employee).

Claims 6 and 13.   The method comprising the further steps of:

a) determining whether said customer satisfaction rating is above threshold value

(Col. 15, lines 53-54 and col. 25, lines 63-65 and discussion of claim 5a) above); and

b) transmitting a third electronic notification message to said employee if said

customer satisfaction rating is above said threshold value (See discussion of claim 5b)
above).

Claim 7.   The method of claim 1 comprising the further steps of:

a) creating an audio file containing said feedback message (Col. 33, Col. 33,

lines 16-17 and col. 34, lines 8-9, wherein "generating audio-based icon" infers the

availability of a function for generating (creating" claimed "audio file"); and

b) attaching said audio file to said notification message (Col. 11, wherein

reference's "appending" function would be used for claimed attaching above discussed

"audio file" to above mentioned notification message).

Claim 8.   A method for notifying personnel of customer feedback messages,

comprising the steps of:

a) receiving a spoken customer feedback message ((Col. 2, lines 61-63 read with

lines 60-61, wherein "telephonic survey responses from individuals" infer claimed

"receiving spoken feedback message");

b) creating an audio file containing a recording of said spoken feedback message (See discussion of Applicant's claim 7a) above);

c) storing said audio file in a database (See discussion of Applicant's claim 1b), wherein reference's "storing" function would be used for storing above discussed "audio file");

d) generating an electronic notification message, said notification message indicating that said feedback message has been received (See discussion of Applicant's claim 1c) above);

e) transmitting said electronic notification message to an employee (See discussion of Applicant's claim 1d) above); and

f) accessing said database and playing said audio file to said employee upon receiving a command from said employee (Col. 14, lines 23-24 recited with col. 34, line 9, wherein, as discussed above, "audio-based icon" would inherently play voice (audio) sound to the merchant (employee, such as manager, supervisor etc.) when employee (merchant) would press a key on a keyboard or click the icon by a mouse (Col. 11, line 46) which clearly infer a "entering a command" by merchant (employee)).

Claim 10.   The method of claim 8 comprising the further step of assigning a response ID to said complaint (Coil. 13, lines 50-53 (specifically line 55), wherein "data collected" would be claimed "response" and reference's "assigning identifier" function would be used for claimed purpose).

Claim 11.   The method of claim 10 wherein said command from said employee

is said response ID (Inherent, since merchant (employee) have to enter or click on icon

representing identifier (ID)).

Claim 15.   A method for notifying personnel of customer messages,

comprising the steps of:

a) receiving a satisfaction rating from a customer (See discussion of

Applicant's claim 5a) above);

b) receiving a spoken b) message from said customer (See discussion

of Applicant's claim 8a) above);

c) creating an audio file containing a recording of said spoken message (See

discussion of Applicant's claim 8b) above);

d) storing said audio file in a database (See discussion of Applicant's claim 8c)

above);

e) generating an electronic notification message (See discussion of

applicant's claim 8d) above);

f) attaching said audio file to said notification message (See discussion

of Applicant's claim 7b) above);

g) transmitting said electronic notification message to an employee (See

discussion of Applicant's claim 8e) above);

h) determining whether said satisfaction rating is below a threshold value (See

discussion of Applicant's claim 5a) above); and

i) transmitting a second electronic notification message to a second employee if

said satisfaction rating is below said threshold value (See discussion of Applicant's claim

5b) above).

Claim 17.   A customer feedback notification system, comprising:

a) a database for storing a customer feedback message (See

discussion of Applicant's claim 1b) above);

b) an electronic notification message, said notification message indicating that said

feedback message has been received (See discussion of Applicant's claim 1c) above);

and,

c) a computer server for transmitting said notification message to an employee

(See discussion of Applicant's claim 1d) above. Reference's "computer system-col. 11,

lines 39 and 43-44- would be functioning as claimed "server").

Claim 19.   The system of claim 17 further comprising:

a) a voice server that receives a spoken message from a customer (See

discussion of Applicant's claim 8a) above);

b) an audio file containing said spoken message, said audio file being generated

by said voice server (See discussion of Applicant's claim 8b) above);

c) wherein said audio file is attached to said notification message before being

transmitted to said employee (See discussion of Applicant's claim 7b) above).

Claim 20.   A customer feedback notification system, comprising:

a) a voice server for receiving a spoken customer feedback message (See discussion of Applicant's claim 8a) above);

b) a database for storing said feedback message in an audio file (See discussion of Applicant's claim 8c) above);

c) an electronic notification message indicating that said feedback message has been received and including said audio file as an attachment (See discussion of Applicant's claim 8d) and 7b) above); and

d) a computer server for transmitting said notification message to an employee (See discussion of Applicant's claim 8e) above).

Claim 22.   A method for receiving and tracking customer feedback messages, comprising the steps of:

a) receiving a customer feedback message (See discussion of Applicant's claim 1a) above);

b) storing said feedback message in a database (See discussion of Applicant's claim 1b) above);

c) creating an electronic notification message indicating that said feedback message has been received (See discussion of Applicant's claim 1c) above);

d) transmitting said notification message to an employee (See discussion of Applicant's claim 1d) above);

e) accessing said database using a web server to retrieve said feedback

message (See discussion of Applicant's claim 8f) above and col. 9, line 2-web server);

and

f) displaying said feedback message within a web page to said employee (Col.

15, lines 31-32, col. 16, lines 37-39 and Fig. 18 (column captioned "RATING"),

wherein "rating" entries infer their receipt or collection of "feedback message" in the

form of "ratings" (Col. 34, line 27)).

Claim 27.   The method of claim 22 comprising the further steps of:

a) creating an audio file containing said customer feedback message; storing

said audio file in said database (See discussion of Applicant's claim 7a) above); and

b) providing a link on said web page enabling said employee to playback said

audio file (See discussion of Applicant's claim 8c) above).

Claim 28.   A system for receiving and tracking customer complaints,

comprising:

a) a voice server for receiving a customer complaint (See discussion of Applicant's

claim 22a) above);

b) a database for storing said complaint in a complaint record (See discussion of

Applicant's claim 22b) above);

c) an electronic notification message indicating that said complaint has been

received (See discussion of Applicant's claim 22c) above);

d) a computer server for transmitting said notification message to an employee (See discussion of Applicant's claim 20d) above);

e) a web server connected with said database, said web server configured to enable said employee to access said database to retrieve said compliant record (See discussion of Applicant's claim 22e) above); and

f) a web page defined to display said complaint record retrieved by said employee (See discussion of Applicant's claim 22f) above).

Claim 30.   The system of claim 28 further comprising:

a) an audio file containing a spoken customer complaint (See discussion of Applicant's claim 7a) above and col. 35, line 60, wherein "comments or review" would include claimed "complaint");

b) wherein said complaint record includes said audio file (See discussion of Applicant's claim 7b) and discussion above).

Claim 31.   The system of claim 30 wherein said audio file is attached to said notification messages (See discussion of Applicant's claim 7b) above).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Pollack et al., US Patent 6,546,390 B1. Method And Apparatus For Evaluating Relevancy Of Messages To Users.

B) Hughes et al., US Patent 6,389,472 B1. Method And System For Identifying And Locating Inappropriate Content.

C) Rabowsky, US Patent 6,141, 530. System And Method For Digital Electronic Cinema Delivery.

D) Boulton et al., US Patent 5,566,291. Method And Apparatus For Implementing User Feedback.

E) Strickland, US Patent 3,689,930. Opinion Sampling Apparatus.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Irshadullah whose telephone number is (703) 308-6683. The examiner can normally be reached on Monday-Friday 11:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

M. Irshadullah
May 15, 2003

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